

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**AMY DIVINE, KARL MERCHANT, and  
COLUMBUS JONES, on behalf of themselves  
and all others similarly situated**

**PLAINTIFFS**

v.

**CIVIL ACTION NO.: 1:23cv196 HSO-BWR**

**SECURIX, LLC**

**DEFENDANT**

**PLAINTIFFS' PARTIAL OPPOSITION TO MOTION TO WITHDRAW**

Plaintiffs Amy Divine, Karl Merchant, and Columbus Jones, on behalf of themselves and all others similarly situated (“Plaintiffs”), file this Partial Opposition to Motion to Withdraw and, in support, state the following:

1. On February 26, 2025, Defendant’s counsel Tim Holleman filed a motion to withdraw as counsel for Defendant (“Withdrawal Motion”). Dkt. 43. The Withdrawal Motion states, in pertinent part, “Tim C. Holleman, Hollis T. Holleman and BOYCE HOLLEMAN & ASSOCIATES move the Court to enter an order withdrawing said Attorneys as Attorneys for the Defendant, SECURIX, LLC and grant the Defendant, SECURIX, LLC time to retain new counsel to represent them in this matter.” Dkt. 43 at ¶ 1.

2. Plaintiffs do not oppose the Attorneys being allowed to withdraw as Defendant’s counsel. But, Plaintiffs do oppose the request to allow Defendant more “time to retain new counsel to represent them in this matter.” *Id.* As stated in the Withdrawal Motion itself, the Court allowed Defendant until February 25, 2025, to have new counsel enter an appearance on its behalf. *Id.* at ¶ 2. Yet, Defendant did not comply with the deadline. *Id.* at ¶ 3. Indeed, as of this writing – 14 days after Defendant’s deadline – Defendant still has not had new counsel enter an appearance.

3. Defendant should not now be rewarded with even more time to retain new counsel. Therefore, Plaintiffs oppose the Withdrawal Motion's request for Defendant to have additional time to retain new counsel. Plaintiffs do not oppose the remainder of the motion.

Respectfully submitted, this the 11th day of March 2025.

PLAINTIFFS,

s/ Brian K. Herrington

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